"बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि.से. भिलाई, दिनांक 30-5-2001."

पंजीयन क्रमांक "छत्तीसगढ़/दुर्ग/तक. 114-009/2003/20-1-03."

छत्तीसगढ़ राजपत्र

प्राधिकार से प्रकाशित

क्रमांक 1] रायपुर, शुक्रवार, दिनांक 5 जनवरी 2007- पौष 15, शक 1928

भाग 4

विषय - सूची

भाग 4 (क) - कुछ नहीं

भाग 4 (ख)

संसद के अधिनियम

GOVERNMENT OF CHHATTISGARH
LAW AND LEGISLATIVE AFFAIRS DEPARTMENT

Raipur, the 23rd November 2004

No. 6915/21-A(Dr) .— The following Act of the Parliament, published in the Gazette of India Extra- ordinary, Part-II, Section I, the Coal (Regulation Transfer and Validation Act, 2000) (Act No. 45 of 2000) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 8th Dec. 2000.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE COAL INDIA (REGULATION OF TRANSRERS AND VALIDATION) ACT, 2000

An act

to empower the Central Government to direct the transfer of the land, or of the rights in or over land or of the right, title and interest in relation to a coal mine, coking coal mine or coke oven plant, vested in the Coal India Limited or in a subsidiary company to any subsidiary company of Coal India Limited or any other subsidiary company and to validate certain transfers of such land or rights.

Be it enacted by Parliament in the Fifty-first Year of the Republic of India as follows :-

Short title. 1. This Act may be called the Coal India (Regulation of Transfers and Validation) Act, 2000.

Definitions. 2. In this Act, unless the context otherwise requires,-

(a) "Coal India" means the Coal India Limited, a Government company incorporated under the Companies Act, 1956 having its registered office at Calcutta and includes its predecessor Government company, namely, the Coal Mines Authority Limited; **1 of 1956.**

(b) "Subsidiary Company" means the following subsidiary companies of Coal India, namely :-

(i) the Central Coal Fields Limited, Ranchi and includes its predecessor Government Company, namely, the National Coal Development Corporation Limited, Ranchi;

(ii) the Bharat Coking Coal Limited, Dhanbad;

(iii) the Western Coal Fields Limited, Nagpur;

(iv) the Eastern Coal Fields Limited, Sanctoria;

(v) the Central Mine Planning and Design Institute Limited, Ranchi;

(vi) the South-Eastern Coal Fields Limited, Bilaspur;

(vii) the Northern Coal Fields Limited, Singrauli;

(viii) the Mahanadi Coal Fields Limited, Sambalpur.

and includes such other subsidiary company of Coal India as may be incorporated under the Companies Act, 1956 from time to time;

1 of 1956.

(c) words and expressions used herein and not defined but defined in the Coking Coal Mines (Nationalisation) Act, 1972 or the Coal Mines (Nationalisation) Act, 1973, shall have the meanings, respectively, assigned to them in those Acts.

36 of 1972.

26 of 1973.

Power of central Government to direct transfer of land, rights, title of interst.

3. (1) Notwithstanding anything contained in any other law for the time being in force, the Central Government may, if it is satisfied that a subsidiary company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification in the Official Gazette, that the land or rights in or over such land or the right, title and interest in relation to a coal mine, coking coal mine or a coke oven plant vested in the Coal India shall, instead of continuing to vest in the Coal India, vest in that subsidiary company or, where such land or right, title or interest vests in a subsidiary company, in another subsidiary company.

(2) Where the land or rights in or over such land or the right, title and interest in relation to a coal mine, coking coal mine or a coke oven plant vest in a subsidiary company under sub-section *(1)*, such subsidiary company shall, on and from the date of such vesting, be deemed to have become the lessee in relation to such coal mine or coking coal mine as if a fresh mining lease in relation to such coal mine or coking coal mine had been granted to it under the Mineral Concession Rules, 1960 made under section 13 of the Mines and Minerals (Development and Regulation) Act, 1957 for the maximum period for which such lease could have been granted under those rules, and all the rights and liabilities of Coal India or, as the case may be, the subsidiary company in relation to such coal mine or coking coal mine shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, repectively, of subsidiary company first-mentioned.

67 of 1957.

Validation of certain transfers.

4. A subsidiary company which was operating, or was in control of, any coal mine, coking coal mine, or coke oven plant which was vested in the Coal India or any other subsidiary company immediately before the commencement of this Act, shall be deemed to have been vested with the land or rights in or over

such land or the right, title and interest in relation to such coal mine, coking coal mine or coke oven plant and such vesting shall be deemed to have been valid and effective at all material times as if a direction had been made by the Central Government under sub-section *(1)* of section 3 and accordingly no suit or other proceeding shall be instituted, maintained or continued in any court on the ground that such subsidiary company was not competent to operate or control such coal mine, coking coal mine or coke oven plant.

Raipur, the 23rd November 2004

No. 6915/21-A(Dr) .— The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part-II, Section I, THE WORKMEN'S COMPENSATION (AMENDMENT) ACT, 2000 (Act No. 46 of 2000) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 8th Dec. 2000.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE WORKMEN'S COMPENSATION (AMEDNMENT) ACT, 2000

An Act further to amend the Workmen's Compensation Act, 1923.

Be it enacted by Parliament in the Fifty-first Year of the Republic of India as follows :-

Short title.

1. This Act may be called the Workmen's Compensation (Amendment) Act, 2000.

Amendment of section 2.

2. In the Workmen's Compensation Act, 1923 (hereinafter referred to as the principal Act), in section 2, in sub-section *(1)*, in clause (n), the following brackets and words shall be omitted, namely :-

8 of 1923.

"(other than a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer's trade or business)".

Amendment of section 4.

3. In section 4 of the principal Act,-

(a) in sub-section *(1)*,-

(i) in clause (a), for the words "fifty thousand rupees", the words "eighty thousand rupees" shall be substituted;

(ii) in clause (b), for the words "sixty thousand rupees", the words "ninety thousand rupees" shall be substituted;

(iii) in Explanation II, occurring after clause (b) and before clause (c), for the words "two thousand rupees" occurring at both the places, the words "four thousand rupees" shall respectively be substituted;

(b) in sub-section *(4)*, for the words "one thousand rupees", the words "two thousand and five hundred rupees" shall be substituted.

Amendment of section 4-A.

4. In section 4 A of the principal Act, for sub-section (3A), the following sub-section shall be substituted, namely :-

"(3A) the interest and the penalty payable under sub-section (3) shall be paid to the workman or his dependant, as the case may be".

Raipur, the 23rd November 2004

No. 6915/21-A(Dr) .— The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part-II, Section I, The Passport (Entry into India) Amendment Act, 2000 (Act No. 47 of 2000) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 8th Dec. 2000.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE PASSPORT (ENTRY INTO INDIA) AMENDMENT ACT, 2000

An Act further to amend the Passport (Entry into India) Act, 1920.

Be it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:-

Short title.

1. This Act may be called the Passport (Entry into India) Amendment Act, 2000.

Amendment of section 3.

34 of 1920.

2. In section 3 of the Passport (Entry into India) Act, 1920 (hereinafter referred to as the principal Act), in sub-section (3), for the words "punishable with imprisonment for a term which may extend to three months, or with fine, or with both", the words "punishable with imprisonment for a term which may extend to five years, or with fine which may extend to fifty

thousand rupees, or with both" shall be substituted.

Insertion of new section 3A.

3. After section 3 of the principal Act, the following section shall be inserted, namely :-

Punishment for subsequent offences.

"3A. Whoever having been convicted of an offence under any rule or order made under this Act is again convicted of an offence under this Act shall be punishable with double the penalty provided for the later offence".

Amendment of section 4.

4. In section 4 of the principal Act, in sub-section (2), for the words and figures "section 61 of the Code of Criminal Procedure, 1898", the words and figures "section 57 of the Code of Criminal Procedure, 1973," shall be substituted. 5 of 1898. 2 of 1974.

Raipur, the 23th November 2004

No. 6915/21-A(Dr) .— The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part-II, Section I, The Forfeiture (Repeal) Act, 2000 (Act No. 48 of 2000) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 8th Dec. 2000.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE FORFEITURE (REPEAL) ACT, 2000

An Act to repeal the Forfeiture Act, 1859.

Be it enacted by Parliament in the Fifty-first Year of the Republic of India as follows :-

Short title.

1. This Act may be Called the Forfeiture (Repeal) Act, 2000.

Repeal of Act 9 of 1859.

2. The Forfeiture Act, 1859 is hereby Repealed.

Raipur, the 23rd November 2004

No. 6915/21-A (Dr) .— The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part-II, Section I, The Central Road Fund Act, 2000 (Act No. 54 of 2000) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 27th Dec. 2000.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE CENTRAL ROAD FUND ACT, 2000

An Act to give statutory status to the existing Central Road Fund Governed by the Resolution of Parliament passed in 1988, for development and maintenance of national highways and improvement of safety at railway crossings, and for these purposes to levy and collect by way of cess, a duty of excise and duty of customs on motor spirit commonly known as petrol, high speed diesel oil and for other matters connected therewith.

Be it enacted by Parliament in the Fifty-first Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY

Short title, extent and commencement.

1. *(1)* This Act may be Called the Central Road Fund Act, 2000.

(2) It extends to the whole of India.

(3) Save as otherwise provided in this Act, it shall be deemed to have come into force on the 1st day of November, 2000.

Definitions.

2. In This Act, unless the context otherwise requires,-

(a) "Appointed day" means the date on which the Fund is established under sub-section *(1)* of section 6;

(b) "Cess" means a duty in the nature of duty of excise and customs, imposed and collected on motor spirit commonly known as petrol and high speed diesel oil for the purposes of this Act;

(c) "Fund" means the Central Road Fund established under sub-section *(1)* of section 6;

(d) "National highways" means the highways specified in the Schedule to the National Highways Act, 1956 or any other highway declared as national highway under sub-section (2) of section 2 of the said Act; **48 of 1956.**

(e) "National Highways Authority of India" means an authority constituted under sub-section *(1)* of section 3 of the National Highways Authority of India Act, 1988; **68 of 1988.**

(f) "Prescribed" means prescribed by rules made under this Act.

CHAPTER II

CENTRAL ROAD FUND

Levy and collection of cess.

3. *(1)* With effect from such date as the Central Government may, by notification in the Official Gazette, specify, there shall be levied and collected, as a cess, a duty of excise and customs for the purposes of this Act, on every item specified in column (2) of the Schedule, which is produced in or imported into India and-

(a) removed from a refinery or a factory or an outlet; or

(b) transferred by the person, by whom such item is produced or imported, to another person,

at such rates not exceeding the rate set forth in the corresponding entry in column (3) of the Schedule, as the Central Government may, by notification in the Official Gazette, specify :

Provided that until the Central Government specifies by such notification the rate of the cess in respect of petrol and high speed diesel oil (being items specified in the Schedule), the cess on petrol and high speed diesel oil under this sub-section shall be levied and collected at the rate of rupee one per litre :

Provided further that the additional duty of customs and the additional duty of excise on petrol levied under sub-section *(1)* of section 103 and sub-section *(1)* of section 111, as the case may be, of the Finance (No. 2) Act, 1998 and the additional duty of customs and the additional duty of excise on high speed diesel oil levied under sub-section *(1)* of section 116 and sub-section *(1)* of section 133, as the case may be, of the Finance Act, 1999 shall be deemed to be a cess for the purposes of this Act from the date of its levy and the proceeds thereof shall be credited to the Fund.

21 of 1998.

27 of 1999.

(2) Every cess leviable under sub-section *(1)* on any item shall be payable by the person by whom such item is produced, and in the case of imports, the cess shall be imposed and collected on items so imported and specified in the Schedule.

(3) The cess leviable under sub-section *(1)* on the items specified in the Schedule shall be in addition to any cess

or duty leviable on those items under any other law for the time being in force.

1 of 1944.
52 of 1962.

(4) The provisions of the Central Excise Act, 1944 and the rules made thereunder and the provisions of the Customs Act, 1962 and the rules made thereunder, as the case may be, including those relating to refunds and exemptions from duties shall, as far as may be, apply in relation to the levy and collection of cess leviable under this section and for this purpose, the provisions of the Central Excise Act, 1944 and of the Customs Act, 1962, as the case may be, shall have effect as if the aforesaid Acts provided for the levy of cess on all items specified in the Schedule.

Crediting of cess to Consolidated Fund of India.

4. The proceeds of the cess levied under section 3 shall first be credited to the Consolidated Fund of India, and, the Central Government may, if Parliament by appropriation made by law in this behalf so provides, credit such proceeds to the Fund from time to time, after deducting the expenses of collection, for being utilised exclusively for the purposes of this Act.

Grants and loans by the Central Government.

5. The Central Government may, after due appropriation made by Parliament by law in this behalf, credit by way of grants or loans such sums of money as the Central Government may consider necessary in the Fund.

Establishment of Central Road Fund.

6. *(1)* With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of this Act, a Fund to be called as the "Central Road Fund".

(2) The Fund shall be under the control of the Central Government and there shall be credited thereto-

(a) any sums of money paid under section 4 or section 5;

(b) unspent part of the cess, being already levied for the purposes of the development and maintenance of national highways;

(c) the sums, if any, realised by the Central Government in carrying out its functions or in the administration of this Act;

(d) any fund provided by the Central Government for the development and maintenance of State roads.

(3). The balance to the credit of the Fund shall not lapse at the end of the financial year.

Utilisation of the Fund.

7. The Fund shall be utilised for the-

(i) development and maintenance of national highways;

(ii) development of the rural roads;

(iii) development and maintenance of other State roads including roads of inter-State and economic importance;

(iv) construction of roads either under or over the railways by means of a bridge and erection of safety works at unmanned rail-road crossings; and

(v) disbursement in respect of such projects as may be prescribed.

Accounts and Audit.

8. (1) The concerned departments of the Central Government shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the profit and loss account and the balance-sheet in respect of allocations of their shares of fund in such form, as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Fund shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him.

CHAPTER III

MANAGEMENT OF CENTRAL ROAD FUND

Power s of central Government to adiminister the Fund.

9. (1) The Central Government shall have the power to administer the Fund and shall-

(a) take such decisions regarding investment on projects of national highways and expressways as it considers necessary;

(b) take such measures as may be necessary to raise

funds for the development and maintenance of the national highways;

(c) allocate and disburse such sums as are considered necessary, to the concerned departments responsible for the development and maintenance of-

(i) national highways;

(ii) rural roads;

(iii) state roads; and

(iv) construction of roads either under or over the railways by means of a bridge and erect suitable safety works at unmanned rail-road level crossings.

Functions of the Central Government.

10. The Central Government shall be responsible for the-

(i) administration and management of the share of Fund allocated to the development and maintenance of the national highways;

(ii) co-ordination and complete and timely utilisation of all sums allocated out of the Fund;

(iii) sanction of schemes for State roads of inter-State and economic importance in such manner as may be prescribed;

(iv) formulation of criteria on the basis of which the specific projects of State roads of inter-State and economic importance are to be approved and financed out of share of State roads;

(v) release of funds to the States for specific projects and monitoring of such projects and expenditure incurred thereon;

(vi) formulation of the criteria for allocation of the funds for such projects which are required to be implemented by the National Highways Authority of India and also for other projects for the development and maintenance of the national highways;

(vii) allocation of share of funds to each State and Union territory specified in the First Schedule to the Constitution;

(viii) allocation of-

(a) fifty per cent of the cess on high speed diesel oil for the development of rural roads in such manner as may be prescribed; and

(b) the balance amount of fifty per cent of cess on high speed diesel oil and the entire cess collected on petrol as follows :-

(i) an amount equal to fifty-seven and one half per cent of such sum for the development and maintenance of national highways;

(ii) an amount equal to twelve and one half per cent for the construction of road either under or over the railways by means of a bridge and erection of safety works at unmanned rail-road crossings; and

(iii) the balance thirty per cent on development and maintenance of roads other than national highways and out of this amount, ten per cent that is three per cent of the total share of State roads shall be kept as reserve by the Central Government for allocation to States for implementation of State road schemes of inter-State and economic importance to be approved by the Central Government in terms of clauses *(iii)* and *(iv)* of this section.

Administration of State's share of the Fund.

11. *(1)* The share of the Fund to be spent on development and maintenance of roads, other than national highways, as specified under sub-clause (b) of clause (viii) of section 10, after deducting the reserve kept by the Central Government for State road schemes of inter-State and economic importance, shall be allocated to various States and union territories in such manner as may be decided by the Central Government.

(2) The portion of the Fund allocated for expenditure in the various States and Union territories shall be retained by the Central Government until it is actually required for expenditure.

(3) If in the opinion of the Central Government, the Government of any State or the administration of any Union territory has at any time-

(a) failed to take such steps as the Central Government may recommend for the regulation and control of motor vehicles within the State or the Union territory; or

(b) delayed without reasonable cause the application of any portion of the Fund allocated or re-allocated, as the case may be, for expenditure within the State or Union territory,

the Central Government may resume the whole or part of any sums which it may have at that time held for expenditure in that State or the Union territory.

(4) All sums resumed by the Central Government from the account of any State Government or Union territory administration as aforesaid shall be re-allocated between the credit accounts of the defaulting and other State Governments and Union territory administrations in the ratio of the main allocation for the financial year preceding the year in which the re-allocation is made.

(5) The balance to the credit of the Fund in respect of any allocation shall not lapse at the end of the financial year.

Power to make rules.

12. (1) The Central Government may by notification in the Offical Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely :-

(a) specify the projects in respect of which the funds may be disbursed under section 7;

(b) the manner in which the accounts shall be maintained and the annual statement of accounts may be prepared including the profit and loss account and the balance-sheet under sub-section (1) of section 3 ;

(c) the manner in which the schemes for development and maintenance of State roads of inter-State and economic importance are to be formulated and sanctioned under section 10;

(d) any other matter for which rule is to be made, or may be, prescribed.

Rules made under this Act to be laid before Parliament.

13. Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Provisions relating to existing Central Road Fund.

14. With effect from the appointed day the Central Road Fund governed by the Parliamentary Resolution dated the 13th may, 1988 (hereafter referred to in this section as the existing Fund) shall be deemed to be the Fund established under this Act and,-

(a) all schemes relating to development and maintenance of national highways and State roads sanctioned under the existing Fund in so far as such schemes are relatable to the schemes under this Act, shall be deemed to be the schemes sanctioned under this Act;

(b) all funds accrued under the existing Fund including assets and liabilities shall be transferred to the Fund established under this Act.

Repeal and Saving.

15. (1) The Central Road Fund Ordinance, 2000 is hereby repealed. **Ord. 5 of 2000.**

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

THE SCHEDULE
(See section 3)

Sl. No (1)	Name of item (2)	Rate of duty (3)
1.	Motorspirit commonly known as petrol	Rupee one per litre
2.	High speed diesel oil	Rupee one per litre

भाग 4 (ग) - कुछ नहीं

संचालक, मुद्रण तथा लेखन सामग्री, छत्तीसगढ़ द्वारा शासकीय क्षेत्रीय मुद्रणालय, राजनांदगांव से मुद्रित तथा प्रकाशित -2007